

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

MICHAEL WESCOTT,

Plaintiff

v.

MAINE DEPARTMENT OF
CORRECTIONS, et al.,

Defendants

1:21-cv-00072-LEW

JOINT STATUS REPORT

Plaintiff Michael Wescott and Defendants the Maine Department of Corrections, A. Carlisle, C. Coyne, S. Dewitt, D. Dickson, K. Gendron, D. Girard, B. Heath, R. Lancaster, B. MacDougall, M. Mack, M. Magnusson, M. Nee, L. Olsen, M. Saar, and J. Tardif (collectively, the “Served Defendants”) submit this joint status report to the Court, as ordered by Judge Rich at ECF No. 67.

Plaintiff recently voluntarily dismissed Defendants FNU Cohen, FNU Welch, FNU Nicholson, FNU Hawkinson, and FNU Berry. (ECF Nos. 70-72.) Plaintiff previously dismissed Defendants D. Nee, Whelan, Hawkins, and Lehman (ECF Nos. 44, 52-54).

Plaintiff has indicated that in place of FNU Garf (male and female), he wishes to name as defendants MaryLou and Marshall McGrath. Similarly, in place of FNU Jordan, Plaintiff wishes to name Shirley Antonowicz. In place of FNU Clark, Plaintiff wishes to name David Clock.

Plaintiff wishes to name Albert Jackson and Steven Rogers in place of FNU Jackson and FNU Rogers. Plaintiff also wishes to name Thomas Olson in place of FNU Olsen.¹

Defendants MaryLou McGrath, Marshall McGrath, Shirley Antonowicz, Steven Rogers, David Clock, and Albert Jackson have agreed to waive formal service. However, MaryLou McGrath, Marshall McGrath, Shirley Antonowicz, and David Clock are not named in the Amended Complaint. Thus, no summons would issue in their name. To correct this, Plaintiff plans to move to file a Second Amended Complaint to add these defendants and delete allegations regarding the dismissed defendants. Without waiving any legal arguments or defenses and without conceding any factual allegations, counsel for the Served Defendants consents to amendment for the purposes of adding the names of these additional defendants and to delete defendants who have been dismissed and the allegations against them.

¹ Defendant Thomas Olson is the only defendant from the Amended Complaint who remains to be served. Counsel for the Served Defendants has been unable to reach him to determine whether he is willing to waive formal service.

Dated: February 28, 2022

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Dated: February 28, 2022

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